(1)

Single Bench

CF 1002

IN THE HIGH COURT OF JUDICATURE, AT-BILASPUR(C.G.)

WRIT PETITION (S) NO. 6547 OF 2006

PETITIONER : DR. RINITA RAI
Aged about – 34 years
Wife of Dr. Sanjeev Rai
Assistant Veterinary Surgeon,
At – Dieses Investigation Lab., Jashpur
District – Jashpur (C. G.)
R/o – C/o Shri Rangnath Tiwari,
Darbari Toli, Jashpur Nagar
District – Jashpur (C. G.)

P.R. No. 6457/06
Presented by RK Keshwani
dated 12/11/06

VERSUS

RESPONDENTS :

1. State of Chhattisgarh
Department of Agriculture &
Animal Husbandry, Mantralaya,
D. K. S. Bhawan, Raipur.

2. The Director,
Veterinary Department,
Chhattisgarh,
H. Q. – Raipur.

3. Dr. M. D. Tekchandani,
Deputy Director (Veterinary)
Kabeerdham,
District – Kabeerdham (C. G.)

4. Deputy Director (Veterinary)
Jashpur Nagar,
District – Jashpur (C. G.)

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WRIT PETITION UNDER ARTICLE – 226 ~~& 227~~ OF CONSTITUTION OF INDIA .

XI-HC-22

(37)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.(S).No. 6547/06 **सन्** 200

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

04/12/2006

Shri R.K. Kesharwani, counsel for the petitioner.

Shri Satish Gupta, Deputy Govt. Advocate for the respondents/State.

Heard.

Petitioner while working as Assistant Veterinary Surgeon at Veterinary Hospital, Bodla, Dist. Kabeerdham, was paid Rs.1,68,876/- by respondent No.3 - Deputy Director (Veterinary) Kabeerdham, for meeting expenditure under various heads. Thereafter, she was transferred and posted to Jashpur Nagar, but she did not submit utilization certificate for the above amount. Therefore, Deputy Director (Veterinary), Kabeerdham initiated recovery proceeding against the petitioner and passed the impugned order.

Neither the recovery proceeding falls within the domain of Chhattisgarh Civil Services (Classification, Control and Appeal) Rules, 1966, nor for such recovery only the Appointing Authority or Disciplinary Authority is authorized. Therefore, recovery order passed by Deputy Director (Veterinary), Kabeerdham, does not call for any interference. However, if petitioner submits utilization certificate within a month or details of expenditure made by her in accordance with rules under various heads, Deputy Director (Veterinary) Kabeerdham, may consider those documents to decide the dispute and to proceed to recover the balance, if any.

With the aforesaid direction, the writ petition is disposed of. Consequently, M.W.P.No.4775/2006 stands disposed of.

Certified copy as per rules.

Sd/-
V.K. Shrivastava
Judge